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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,795	09/26/2003	Philip Rousselle	ADVENT007US2	9466
28722 7590 03/07/2007 BRACEWELL & PATTERSON, L.L.P. P.O. BOX 969 AUSTIN, TX 78767-0969			EXAMINER YIGDALL, MICHAEL J	
			ART UNIT 2192	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE 3 MONTHS		MAIL DATE 03/07/2007	DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/672,795	Applicant(s) ROUSSELLE, PHILIP	
	Examiner Michael J. Yigdall	Art Unit 2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/6/04, 2/9/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-25 are pending. A priority date of September 30, 2002 is considered.

Specification

2. The use of the trademarks "JAVA" and "ENTERPRISE JAVABEAN" (e.g., page 1, paragraph [0003]), and the trademark "WINDOWS" (e.g., page 2, paragraph [0005]), is noted in this application. All trademarks, including those noted here, should be capitalized wherever they appear and should be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner that might adversely affect their validity as trademarks.

Claim Objections

3. Claim 11 is objected to because it recites "said first applicant component" in line 2 rather than --said first distributed application component--, and recites "said first application" in line 8 rather than --said first distributed application component--. Appropriate correction is required.
4. Claim 19 is objected to because it recites "a publisher on every publish/subscribe request topic within a portion of said publish/subscribe reply topics" at line 9 rather than --a publisher on every publish/subscribe reply topic within a portion of said publish/subscribe reply topics--. Appropriate correction is required.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

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Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 19-23 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

With respect to claim 19, the claim is directed to a “system for facilitating request/reply communications among components of a distributed application.” However, as recited, the system is reasonably interpreted as software *per se*. Moreover, the claimed subject matter amounts to non-functional descriptive material. The claim lacks a practical application of the system that produces a useful, concrete and tangible result. See MPEP § 2106.

With respect to claims 20 and 21, the claims do not remedy the issue of non-statutory subject matter as set forth above for claim 19.

With respect to claims 22 and 23, the claims are considered to provide functional descriptive material, but do not otherwise remedy the issue of non-statutory subject matter as set forth above for claim 19.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,804,818 to Codella et al. ("Codella").

With respect to claim 1, Codella discloses a method for facilitating communications between components of a distributed application (see, for example, column 3, lines 47-67, which shows facilitating communications among message beans that are components of a distributed application) comprising the steps of:

receiving a request from a first distributed application component (see, for example, column 9, lines 11-18, which shows a message proxy receiving a request from a first message bean), wherein a recipient of said request is a second distributed application component (see, for example, column 9, lines 34-46, which further shows that a recipient of the request is a second message bean); and

publishing said request on a first publish/subscribe request topic (see, for example, column 13, lines 29-36, which shows a message proxy publishing the request to a first request destination, and column 15, lines 61-63, which further shows that the destination is a publish/subscribe topic), wherein said first publish/subscribe topic is identified by a first property of said second distributed application component (see, for example, column 19, lines 37-54, which shows that a first property of the second message bean identifies the first request destination).

With respect to claim 2, the rejection of claim 1 is incorporated, and Codella further discloses that said first property is a type of said second distributed application component (see,

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for example, column 19, lines 37-54, which shows that the first property is a type of the second message bean).

With respect to claim 3, the rejection of claim 2 is incorporated, and Codella further discloses that said recipient is identified by a second property of said second distributed application component included within said request (see, for example, column 11, lines 6-11, which shows that a second property of the second message bean identifies the recipient).

With respect to claim 4, the rejection of claim 3 is incorporated, and Codella further discloses that said second property is a unique identifier of said second distributed application component (see, for example, column 13, lines 13-17, which shows that the second property is a unique identifier of the second message bean).

With respect to claim 5, the rejection of claim 2 is incorporated, and Codella further discloses the steps of:

subscribing to a first publish/subscribe reply topic (see, for example, column 13, lines 55-63, which shows a message listener subscribing to a first reply destination, and column 15, lines 61-63, which further shows that the destination is a publish/subscribe topic), wherein said first publish/subscribe reply topic is identified by a type of said first distributed application component (see, for example, column 19, lines 37-54, which shows that a type of the first message bean identifies the first reply destination);

forwarding a reply posted on said first publish/subscribe reply topic to said first distributed application component (see, for example, column 14, lines 12-20, which shows a message listener forwarding a reply to the first message bean).

With respect to claim 6, the rejection of claim 5 is incorporated, and Codella further discloses that said reply is generated by said second distributed application component in response to said request (see, for example, column 9, lines 47-58, which shows that the second message bean generates the reply in response to the request).

With respect to claim 7, the rejection of claim 1 is incorporated, and Codella further discloses the steps of:

subscribing to a second publish/subscribe request topic (see, for example, column 16, lines 31-39, which shows a message listener subscribing to a second request destination, and column 15, lines 61-63, which further shows that the destination is a publish/subscribe topic), wherein said second publish/subscribe request topic is identified by a type of said first distributed application component (see, for example, column 19, lines 37-54, which shows that a type of the first message bean identifies the second request destination);

forwarding a request posted on said second publish/subscribe request topic to said first distributed application component (see, for example, column 16, lines 31-39, which shows a message listener forwarding a request to the first message bean), wherein said request is generated by a third distributed application component (see, for example, column 9, lines 11-18, which shows that a third message bean generates the request);

receiving a reply from said first distributed application component (see, for example, column 15, lines 30-32 and 37-40, which shows a callback proxy receiving a reply from the first message bean), wherein a recipient of said reply is said third distributed application component

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(see, for example, column 15, lines 49-52, which further shows that a recipient of the reply is the third message bean); and

publishing said reply on a second publish/subscribe reply topic (see, for example, column 15, lines 40-44, which shows a callback proxy publishing the reply to a second reply destination, and column 15, lines 61-63, which further shows that the destination is a publish/subscribe topic), wherein said second publish/subscribe reply topic is identified by a type of said third distributed application component (see, for example, column 19, lines 37-54, which shows that a type of the third message bean identifies the second reply destination).

With respect to claim 8, the rejection of claim 7 is incorporated, and Codella further discloses that said second and third distributed application components are the same distributed application component (see, for example, column 4, line 65 to column 5, line 14, which shows that the same message bean generates and is a recipient of requests).

With respect to claim 9, the rejection of claim 7 is incorporated, and Codella further discloses the step of, prior to forwarding said request posted on said second publish/subscribe request topic, identifying that a recipient of said request posted on said second publish/subscribe request topic is either said first distributed application component or all distributed application components (see, for example, column 8, lines 29-37, which shows identifying that one or more message beans are recipients of the request).

With respect to claim 10, the rejection of claim 7 is incorporated, and Codella further discloses the step of, sending a callback object to said first distributed application component with said request posted on said second publish/subscribe request topic (see, for example,

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column 15, lines 32-36, which shows sending a callback proxy to the first message bean with the request).

With respect to claim 11, the rejection of claim 1 is incorporated, and Codella further discloses the step of, registering said first applicant component prior to receiving said request, wherein said step of registering comprises:

receiving a type of said first distributed application component, a name of said first distributed application component, a list of all other types of distributed application components that will send request or replies to said first distributed application component, and a list of all other types of distributed application components that will be receiving requests or replies from said first application (see, for example, column 7, lines 30-67, which shows registering the first message bean including receiving a type and a name of the first message bean and the message beans that will send and receive requests and replies to and from the first message bean).

With respect to claim 12, the rejection of claim 11 is incorporated, and Codella further discloses that said step of registering further comprises:

receiving a callback object, wherein said callback object directs requests from other distributed application components to said first distributed application component (see, for example, column 15, lines 37-44, which shows receiving a callback proxy to direct requests to the first message bean).

With respect to claim 13, the rejection of claim 12 is incorporated, and Codella further discloses the step of, invoking said callback object to deliver said request to said first distributed

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application component (see, for example, column 15, lines 32-36, which shows invoking the callback proxy).

With respect to claim 14, the rejection of claim 11 is incorporated, and Codella further discloses that said step of registering further comprises:

 sending a callback object to said first distributed application component (see, for example, column 9, lines 51-54, which shows sending a callback proxy to the first message bean).

With respect to claim 15, the rejection of claim 11 is incorporated, and Codella further discloses that said step of registering further comprises:

 creating a publisher on a publish/subscribe request topic of each of said other type of distributed application component receiving a request from said first distributed application component (see, for example, column 7, lines 3-24, which shows creating message proxies for a request destination of message beans receiving a request from the first message bean);

 creating a publisher on a publish/subscribe reply topic of each of said other type of distributed application component types receiving a reply from said first distributed application component (see, for example, column 7, lines 3-24, which shows creating message proxies for a reply destination of message beans receiving a reply from the first message bean);

 creating a subscription on a publish/subscribe request topic of said type of said first distributed application component (see, for example, column 17, lines 1-12, which shows creating a message listener for a request destination of the first message bean); and

creating a subscription on a publish/subscribe reply topic of said type of said first distributed application component (see, for example, column 17, lines 1-12, which shows creating a message listener for a reply destination of the first message bean).

With respect to claim 16, the rejection of claim 15 is incorporated, and Codella further discloses that said subscription on a publish/subscribe request topic of said type of said first distributed application component includes a filter that only accepts requests addressed to said first distributed application component or all distributed application components (see, for example, column 10, lines 42-50, which shows a message repository that filters requests to the message beans).

With respect to claim 17, the rejection of claim 15 is incorporated, and Codella further discloses that said subscription on a publish/subscribe reply topic of said type of said first distributed application component includes a filter that only accepts replies addressed to said first distributed application component (see, for example, column 17, lines 12-21, which shows a map that filters replies to the first message bean).

With respect to claim 18, the rejection of claim 1 is incorporated, and Codella further discloses that said request comprises one or more instructions directed toward a task to be performed by said second distributed application component (see, for example, column 5, lines 23-36, which shows that the request comprises instructions directed to a service or task that the second message bean performs).

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With respect to claim 19, Codella discloses a system for facilitating request/reply communications among components of a distributed application (see, for example, column 3, lines 47-67, which shows facilitating communications among message beans that are components of a distributed application, and column 5, lines 51-55, which further shows request/response communications) comprising:

a publish/subscribe request topic for every type of distributed application component (see, for example, column 7, lines 48-67, which shows an output request destination for every message bean, and column 15, lines 61-63, which further shows that the destination is a publish/subscribe topic);

a publish/subscribe reply topic for every type of distributed application component (see, for example, column 7, lines 30-47, which shows an input reply destination for every message bean, and column 15, lines 61-63, which further shows that the destination is a publish/subscribe topic); and

for each distributed application component,

a publisher on every publish/subscribe request topic within a portion of said publish/subscribe request topics (see, for example, column 9, lines 11-18, which shows message proxies for the destinations, and column 13, lines 29-36, which further shows that the message proxies are publishers);

a publisher on every publish/subscribe reply topic within a portion of said publish/subscribe reply topics (see, for example, column 9, lines 11-18, which shows message proxies for the destinations, and column 13, lines 29-36, which further shows that the message proxies are publishers);

a subscription on the publish/subscribe request topic pertaining to a type of said distributed application component (see, for example, column 17, lines 1-12, which shows a message listener for the destination pertaining to a type of the message bean); and

a subscription on the publish/subscribe reply topic pertaining to a type of said distributed application component (see, for example, column 17, lines 1-12, which shows a message listener for the destination pertaining to a type of the message bean).

With respect to claim 20, the rejection of claim 19 is incorporated, and Codella further discloses that said portion of said publish/subscribe request topics includes publish/subscribe request topics pertaining to all types of distributed application components that receive requests from said distributed application component (see, for example, column 7, lines 3-24, which shows message proxies for destinations of message beans that receive requests).

With respect to claim 21, the rejection of claim 19 is incorporated, and Codella further discloses that said portion of said publish/subscribe reply topics includes publish/subscribe reply topics pertaining to all types of distributed application components that receive replies from said distributed application component (see, for example, column 7, lines 3-24, which shows message proxies for destinations of message beans that receive replies).

With respect to claim 22, the rejection of claim 19 is incorporated, and Codella further discloses:

one or more callback objects to facilitate delivery of requests and replies between said distributed application components and said publishers or subscriptions (see, for example,

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column 15, lines 37-44, which shows callback proxies to facilitate delivery of requests and replies among the message beans and the destinations).

With respect to claim 23, the rejection of claim 22 is incorporated, and Codella further discloses:

routing logic to route a request or reply to a particular callback object (see, for example, column 15, lines 32-36, which shows routing logic to route requests or replies to a callback proxy).

With respect to claim 24, Codella discloses a method of communicating messages between components of a distributed application (see, for example, column 3, lines 47-67, which shows communicating messages among message beans that are components of a distributed application) comprising the steps of:

receiving a message formulated according to request/reply semantics from a first distributed application component (see, for example, column 9, lines 11-18, which shows a message proxy receiving a message from a first message bean, and column 5, lines 51-55, which further shows that the message is formulated according to request/response semantics);

translating said message into publish/subscribe communications implemented by a publish/subscribe middleware program (see, for example, column 13, lines 29-36, which shows a message proxy translating the message into a JMS message, and column 15, lines 61-63, which further shows that the JMS middleware program implements publish/subscribe communications); and

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forwarding said translated message to a second distributed application component (see, for example, column 9, lines 34-46, which shows a message proxy forwarding the translated message to a second message bean).

With respect to claim 25, the rejection of claim 24 is incorporated, and Codella further discloses that said message is a request or reply (see, for example, column 4, line 65 to column 5, line 14, which shows that the message is a request or a reply).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure (see the attached Notice of References Cited).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Yigdall whose telephone number is (571) 272-3707. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

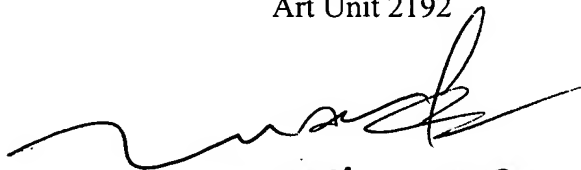
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mj

Michael J. Yigdall
Examiner
Art Unit 2192

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